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OK/HAV

Attorney for Defendant
JONATHAN A. NOVAK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NO. CR.S-04-472-DFL

**AMENDED
STIPULATION AND ORDER;
EXCLUSION OF TIME**

JONATHAN A. NOVAK,
Defendant.

Date: October 6, 2005
Time: 10:00 a.m.
Judge: Hon. David F. Levi

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, LAURA FERRIS, Assistant United States Attorney, attorney for Plaintiff, MARK J. REICHEL, Assistant Federal Defender, attorney for Defendant, that the trial status conference hearing date of September 22, 2005 shall be vacated and a status conference scheduled for October 6, 2005 at 10:00 a.m.

This continuance is requested as defense counsel needs additional time to review discovery with the defendant, to examine possible defenses and to continue investigating the facts of the case.

Accordingly, all counsel and the defendant agree that time under the Speedy Trial Act from the date this stipulation is lodged, through

Stip and Order

October 6, 2005, should be excluded in computing the time within which trial must commence under the Speedy Trial Act, pursuant to Title 18 U.S.C. § 3161 (H) (8) (B) (iv) and Local Code T4.

DATED: September 26, 2005.

Respectfully submitted,

QUIN DENVIR
Federal Public Defender

DATED: September 26, 2005.

/s/ MARK J. REICHEL
MARK J. REICHEL
Assistant Federal Defender
Attorney for Defendant

McGREGOR SCOTT
United States Attorney

DATED: September 26, 2005.

/s/ MARK J. REICHEL for
LAURA FERRIS
Assistant U.S. Attorney
Attorney for Plaintiff

O R D E R

IT IS SO ORDERED. Time is excluded in the interests of justice pursuant to 18 U.S.C. § 3161 (H) (8) (B) (iv) and Local Code T4.

DATED: 9/26/2005


DAVID F. LEVI
United States District Judge